

Extension of time of one month, *i.e.*, to October 1, 2003, to reply to this Action.

Accordingly, Applicant's Response is timely as it is being filed on October 1, 2003.

II ELECTION OF CLAIMS

Applicant elects the Group II set of claims comprised of claims 1–26, 51 and 52 drawn to a post-harvest protection. Applicant's Amendments set forth below are in support of this election and in response to other requirements set forth in the Official Action.

III AMENDMENT

In the Claims:


Please amend claims 1–19, 21–22, 24–26, 51 and 52 as follows:

1. (currently amended) A method for protecting plants ~~shortly before or~~ after the harvest from microbial attack, comprising the step of applying an antimicrobial composition to the surface of the plants, said antimicrobial composition comprising:
- (i) ~~at least one lipophilic GRAS (generally recognized as safe)~~ ~~flavoring agent~~ benzyl alcohol; and
- (ii) ~~at least one hydrophilic GRAS flavoring agent~~ propylene glycol.
2. (currently amended) ~~The method according to claim 1, wherein said lipophilic GRAS flavoring agents are selected from the group consisting of~~ A method for protecting plants after the harvest from microbial attack, comprising the step of applying an antimicrobial composition to the surface of the plants, said composition comprising:
- (a) ~~lipophilic GRAS flavor alcohols or their derivatives~~ benzyl alcohol ~~and;~~ (b) polyphenol compounds, (c) ~~lipophilic GRAS flavor acids or their derivatives~~, (d) ~~phenols or their derivatives~~, (e) ~~lipophilic esters~~, (f)

~~terpenes, (g) acetals, (h,) lipophilic aldehydes and (i) essential oils~~
tannic acid.

3. (currently amended) The method according to claim 1, wherein said antimicrobial composition also comprises ~~at least two lipophilic GRAS flavoring agents~~ a phenol containing essential oil.
4. (currently amended) The method according to claim 2, wherein said ~~lipophilic GRAS flavor alcohols are selected from the group consisting of aromatic GRAS flavor alcohols, including benzyl alcohol, 2-phenylethanol, 1-phenylethanol,~~ composition also includes ~~phenylethanol, cinnamyl alcohol, hydrocinnamyl alcohol, 1-phenyl-1-propanol and anisalcohol, and aliphatic GRAS flavor alcohols, including n-butyl alcohol, iso-butyl alcohol, hexyl alcohol, L-menthol, octyl alcohol, heptyl alcohol, n-amyl alcohol, iso-amyl alcohol, anisalcohol, citronellol, n-decyl alcohol, geraniol, β , γ -hexenol, lauryl alcohol, linalool, nerolidol, nonadienol, nonyl alcohol, rhodinol, terpineol, borneol, cineol, anisole, cuminyl alcohol, 10-undecene-1-ol and 1-hexadecanol and their derivatives.~~
5. (currently amended) The A ~~method according to claim 2, wherein said hydrophilic GRAS flavoring agent is selected from the group consisting of a hydrophilic alcoholic GRAS flavoring agent and a hydrophilic non-~~

~~alcoholic GRAS flavoring agent, wherein said hydrophilic non-alcoholic GRAS flavoring agent is a hydrophilic organic GRAS flavor acid having from 1 to 15 carbon atoms or a physiological salt thereof, a hydrophilic acetate or a hydrophilic aldehyde~~ for protecting plants after the harvest from microbial attack, comprising the step of applying an antimicrobial composition to the surface of the plants, said composition comprising propylene glycol and tannic acid.

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6. (currently amended) The method according to claim 5, wherein said hydrophilic organic acid ~~has from 2 to 10 carbon atoms said hydrophilic acetate is selected from the group consisting of allicin, triacetin, potassium acetate, sodium acetate and calcium acetate, and said hydrophilic aldehyde is selected from the group consisting of furfural, propionaldehyde and vanillin~~ further comprises lactic acid.
7. (currently amended) The method according to claim 5, wherein said antimicrobial composition comprises less than 50% by weight of benzyl alcohol ~~or of a mixture of benzyl alcohol with ethanol and/or isopropanol.~~
8. (currently amended) The method according to claim 5, wherein said antimicrobial composition further comprises ~~two lipophilic GRAS flavor~~

~~alcohols~~ n-butyl alcohol and iso-butyl alcohol, but no benzyl alcohol
and no polyphenol compounds.

9. (currently amended) The method according to claim 5, wherein said antimicrobial composition further comprises benzyl alcohol ~~and/or a polyphenol compound, but no further GRAS flavor alcohols.~~
10. (currently amended) ~~The A~~ method according to claim 8, wherein said antimicrobial composition consists of a hydrophilic GRAS flavor acid for protecting plants after the harvest from microbial attack, comprising the step of applying an antimicrobial composition to the surface of the plants, said composition comprising lactic acid and tannic acid.
11. (currently amended) The method according to claim 9, wherein said antimicrobial composition comprises from 0.01 to 99% by weight of benzyl alcohol ~~or polyphenol compounds~~ and from 0.01 to 50% by weight of ~~hydrophilic non-alcoholic GRAS flavoring agents~~ tannic acid.
12. (currently amended) The method according to claim 1 wherein said antimicrobial composition also comprises:
~~(A) at least one GRAS flavor alcohol (a) and/or its derivatives; and~~

~~(B) at least one flavoring agent selected from the group consisting of polyphenol compounds (b) and lipophilic GRAS flavor acids or their derivatives (c) tannin.~~

13. (currently amended) The method according to claim 12, wherein said antimicrobial composition comprises:

from 0.1 to 99% by weight of ~~component (a)~~ benzyl alcohol,
from 0 to 25% by weight of ~~component (b)~~ tannin, and
from 0 to 70% by weight of ~~component (c)~~ tannic acid.

14. (currently amended) The method according to claim 12, wherein said antimicrobial composition contains ~~further GRAS flavoring agents selected from (d) phenols or their derivatives, (e,) lipophilic esters, (f) terpenes, (g) acetals, (h,) lipophilic aldehydes and (i) a phenol containing essential oils.~~

15. (currently amended) The method according to claim 12, wherein ~~component (A) of said antimicrobial composition is benzyl alcohol~~ said antimicrobial composition further comprises phenylethanol.

16. (currently amended) The method according to claim 13, wherein said polyphenol compound ~~is selected from the group consisting of~~ comprises:

~~catechol, resorcinol, hydroquinone, phloroglucinol, pyrogallol, cyclohexane, resveratrol, usnic acid, acylpolyphenols, lignins, anthocyan, flavones, catechols, gallic acid derivatives, caffeic acid, flavonoids, derivatives of the mentioned polyphenols, and extracts from Camellia, Primula; and said lipophilic GRAS acid is selected from the group consisting of:~~
~~adipic acid, capronic acid, pelargonic acid, phenoxyacetic acid, valeric acid, iso-valeric acid, cinnamic acid, mandelic acid and their derivatives~~ tannic acid.

17. (currently amended) The method according to claim 12, wherein the ~~component A~~ of said antimicrobial composition comprises:

from 0.1 to 99% by weight of benzyl alcohol;
from 0 to 99.8% by weight of ~~component (a)~~ propylene glycol;
from 0 to 25% by weight of ~~component (b)~~ tannin; and
from 0 to 70% by weight of ~~component (c)~~ tannic acid.

18. (currently amended) The method according to claim 17, wherein said antimicrobial composition comprises from 0.001 to 25% by weight of ~~further lipophilic GRAS flavoring agents selected from the group consisting of phenols or their derivatives, esters, terpenes, acetals, aldehydes and essential oils or extracts thereof.~~
19. (currently amended) The method according to claim 18, wherein ~~said further lipophilic GRAS flavoring agents are phenols and/or essential oils or extracts thereof having a high content of alcohols, aldehydes, phenols, acetates or esters~~ the essential oil has a high content of phenol.
20. (Previously presented) The method according to claim 1, wherein said antimicrobial composition does not contain any derivatives of the GRAS flavoring agents.
21. (currently amended) The method according to claim 17, wherein said antimicrobial composition comprises ~~one or two lipophilic GRAS flavor alcohols and at least one polyphenol compound~~ tannic acid.
22. (currently amended) The method according to claim 21, wherein said ~~polyphenol compound is~~ composition also comprises tannin.

23. (previously presented) The method according to claim 22, wherein said antimicrobial composition contains from 20 to 98% by weight of benzyl alcohol and from 0.01 to 10% by weight of tannin.
24. (currently amended) The method according to claim 1, wherein said antimicrobial composition further comprises ~~monohydric or polyhydric alcohols having from 2 to 10 carbon atoms, and additives selected from the group consisting of emulsifiers, stabilizers, antioxidants, preservatives, solvents and carriers~~ rapeseed oil.
25. (currently amended) The method according to claim 1, wherein said antimicrobial composition further consists of ~~GRAS flavoring agents~~ lactic acid.
26. (currently amended) The method according to claim 1, wherein said step of applying said antimicrobial composition to the surface of the plants is carried out by spraying, ~~immersion or nebulizing~~.
27. (withdrawn) A method for protecting plants from microbial attack shortly before or after the harvest, comprising the distribution of said antimicrobial composition within the plant by the step of adding the antimicrobial composition to nutrient media, nutrient liquids and/or

water, said antimicrobial composition comprising at least two GRAS (generally recognized as safe) flavoring agents.

28. (withdrawn) The method according to claim 27, wherein said GRAS flavoring agents are selected from the group consisting of (a) GRAS flavor alcohols or their derivatives, (b) polyphenol compounds, (c) GRAS flavor acids or their derivatives, (d) phenols or their derivatives, (e) esters, (f) terpenes, (g) acetals, (h) aldehydes and (i) essential oils.
29. (withdrawn) The method according to claim 27, wherein said antimicrobial composition comprises at least one GRAS flavor alcohol.
30. (withdrawn) The method according to claim 29, wherein said antimicrobial composition comprises less than 50% by weight of an alcohol selected from the group consisting of ethanol, isopropanol or benzyl alcohol or a mixture of these alcohols.
31. (withdrawn) The method according to claim 27, wherein said antimicrobial composition comprises at least one hydrophilic alcoholic GRAS flavoring agent and/or one hydrophilic non-alcoholic GRAS flavoring agent.

32. (withdrawn) The method according to claim 31, wherein said antimicrobial composition further comprises benzyl alcohol and/or a polyphenol compound.
33. (withdrawn) The method according to claim 27, wherein said antimicrobial composition comprises:
- (A) at least one GRAS flavor alcohol (a) and/or its derivative; and
 - (B) at least one flavoring agent selected from the group consisting of (b) polyphenol compounds and (c) GRAS flavor acids or their derivatives.
34. (withdrawn) The method according to claim 33, wherein said antimicrobial composition comprises:
- from 0.1 to 99% by weight of GRAS flavor alcohol;
 - from 0 to 25% by weight of polyphenol compounds; and
 - from 0 to 70% by weight of GRAS flavor acids or their derivatives.
35. (withdrawn) The method according to claim 27, wherein said antimicrobial composition comprises benzyl alcohol and at least one further GRAS flavoring agent.

36. (withdrawn) The method according to claim 35, wherein said further GRAS flavoring agents are selected from (a) GRAS flavor alcohols or their derivatives, (b) polyphenol compounds, (c) GRAS flavor acids or their derivatives, (d) phenols or their derivatives, (e) esters, (f) terpenes, (g) acetals, (h) aldehydes and (i) essential oils.
37. (withdrawn) The method according to claim 36, wherein said antimicrobial composition comprises less than 50% by weight of benzyl alcohol or of a mixture of benzyl alcohol with ethanol and/or isopropanol.
38. (withdrawn) The method according to claim 33, wherein said antimicrobial composition comprises:
- benzyl alcohol as a necessary component;
at least one other GRAS flavor alcohol and/ or their derivatives;
at least one polyphenol compound; and/or
at least one GRAS acid and/or their derivatives.
39. (withdrawn) The method according to claim 38, wherein said further GRAS flavor alcohol is selected from the group consisting of:

acetoin, ethyl alcohol, propyl alcohol, isopropyl alcohol, propylene glycol, glycerol, n-butyl alcohol, iso-butyl alcohol, hexyl alcohol, L-menthol, octyl alcohol, cinnamyl alcohol, α -methylbenzyl alcohol, heptyl alcohol, n-amyl alcohol, iso-amyl alcohol, anisalcohol, citronellol, n-decyl alcohol, geraniol, β,γ -hexenol, lauryl alcohol, linalool, nerolidol, nonadienol, nonyl alcohol, rhodinol, terpineol, borneol, clineol, anisole, cuminyl alcohol, 10-un-decene-1-ol, 1-hexadecanol or their derivatives;

said polyphenol compound is selected from the group consisting of: catechol, resorcinol, hydroquinone, phloroglucinol, pyrogallol, cyclohexane, resveratrol, usnic acid, acylpolyphenols, lignins, anthocyanins, flavones, catechols, gallic acid derivatives, caffeic acid, flavonoids, derivatives of the mentioned polyphenols, and extracts from Camellia, Primula; and

said GRAS acid is selected from the group consisting of: acetic acid, aconitic acid, adipic acid, formic acid, malic acid, capronic acid, hydrocinnamic acid, pelargonic acid, lactic acid, phenoxyacetic acid, phenylacetic acid, valeric acid, iso-valeric acid, cinnamic acid, citric acid, mandelic acid, tartaric acid, fumaric acid, tannic acid and their derivatives.

40. (withdrawn) The method according to claim 38, wherein said antimicrobial composition comprises:
- from 0.1 to 99% by weight of benzyl alcohol;
- from 0 to 99.8% by weight of other GRAS flavor alcohols and/or their derivatives;
- from 0 to 25% by weight of polyphenol compounds; and
- from 0 to 70% by weight of GRAS acids and/or their derivatives.
41. (withdrawn) The method according to claim 38, wherein said antimicrobial composition comprises further GRAS flavoring agents selected from the group consisting of phenols, esters, terpenes, acetals, aldehydes and essential oils.
42. (withdrawn) The method according to claim 41, wherein said antimicrobial composition contains from 0.001 to 25% by weight of said further GRAS flavoring agents.
43. (withdrawn) The method according to claim 42, wherein said further GRAS flavoring agents are phenols and/or essential oils.

- 44. (withdrawn) The method according to claim 27, wherein said antimicrobial composition does not contain any derivatives of the GRAS flavoring agents.

- 45. (withdrawn) The method according to claim 38, wherein said antimicrobial composition contains one or two GRAS flavor alcohols and at least one polyphenol compound.

- 46. (withdrawn) The method according to claim 45, wherein said polyphenol compound is tannin.

- 47. (withdrawn) The method according to claim 46, wherein said antimicrobial composition contains from 20 to 98% by weight of benzyl alcohol and from 0.01 to 10% by weight of tannin.

- 48. (withdrawn) The method according to claim 27, wherein said antimicrobial composition is the composition of claim 12.

- 49. (withdrawn) A method for protecting plants shortly before or after the harvest from insects and insect larvae, comprising the steps of:

(i) applying an insecticidal composition to the surface of the plants
and/or

(ii) distributing an insecticidal composition within the plant by adding
the insecticidal composition to nutrient media, nutrient liquids and/or
water; wherein said insecticidal composition is a composition
containing GRAS flavoring agents as defined in claim 1.

50. (withdrawn) The method according to claim 49, wherein the step of
applying the insecticidal composition to the surface of the plant is
carried out by spraying, immersion or nebulizing.
51. (currently amended) The method according to claim 1, wherein said
~~plants are selected from the group consisting of cotton, cereals, rice,~~
~~corn, potatoes, tobacco, coffee, cocoa, tea, vegetables, fruits, nuts,~~
~~spices, herbs, seeds, ornamental plants, cultured flowers and flowers~~
~~for cutting~~ is wheat.
52. (currently amended) The method according to claim 1, wherein the
antimicrobial composition as defined in claim 1 is applied ~~shortly~~
~~before and after the harvest to prevent molds, viruses and parasites.~~